

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

EDWIN SEGARRA,

Defendant.

NOLLE PROSEQUI

09 Cr. 769 (PAC)

1. The filing of this *nolle prosequi* will dispose of this case with respect to EDWIN SEGARRA, the defendant.

2. On August 12, 2009, Indictment 09 Cr. 769 (PAC) was filed, charging EDWIN SEGARRA, the defendant, in three counts with: (1) a conspiracy to commit Hobbs Act robberies and Hobbs Act extortion, in violation of 18 U.S.C. § 1951; (2) using and carrying firearms during and in relation to, and possessing firearms in furtherance of, the Hobbs Act robbery and extortion conspiracy charged in Count One, which firearms were brandished, and aiding and abetting the same, in violation of 18 U.S.C. §§ 924(c)(1)(A)(ii) and 2; and (3) a conspiracy to distribute five kilograms and more of cocaine and one kilogram and more of heroin, in violation of 21 U.S.C. § 846

3. On September 5, 2012, Superseding Information S1 09 Cr. 769 (PAC) (the “Information”) was filed, charging EDWIN SEGARRA, the defendant, in six counts with: (1) a conspiracy to commit Hobbs Act robberies and Hobbs Act extortion, in violation of 18 U.S.C. § 1951; (2) using and carrying firearms during and in relation to, and possessing firearms in furtherance of, the Hobbs Act robbery and extortion conspiracy charged in Count One, which firearms were discharged, and aiding and abetting the same, in violation of 18 U.S.C. §§ 924(c)(1)(A)(iii) and 2; (3) a conspiracy

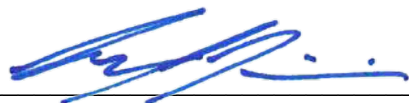
to distribute 280 grams and more of crack cocaine, one kilogram and more of heroin, five kilograms and more of cocaine, and marijuana, in violation of 21 U.S.C. § 846; (4) using and carrying firearms during and in relation to, and possessing firearms in furtherance of, the narcotics conspiracy charged in Count Three, which firearms were discharged, and aiding and abetting the same, in violation of 18 U.S.C. §§ 924(c)(1)(A)(iii), 924(c)(1)(C)(i) and 2; (5) using and carrying firearms during and in relation to, and possessing firearms in furtherance of, an attempted robbery of Jose Miguel Mendez for narcotics and narcotics proceeds, and causing the death of Mendez by discharge of the firearm, and aiding and abetting the same, in violation of 18 U.S.C. §§ 924(j)(1) and 2; and (6) murdering Jose Miguel Mendez while engaged in a conspiracy to distribute and possess with intent to distribute five kilograms and more of cocaine and one kilogram and more of heroin, and aiding and abetting the same, in violation of 21 U.S.C. § 848(e)(1)(A) and 18 U.S.C. § 2.

4. That same day, EDWIN SEGARRA, the defendant, pleaded guilty before this Court to all six counts of the Information.

5. On or about February 5, 2021, prior to sentencing, EDWIN SEGARRA, the defendant, died.

6. Because EDWIN SEGARRA, the defendant, died while this case was pending, and therefore before a final judgment was issued, the Government respectfully requests that an order of *nolle prosequi* be filed as to the defendant with respect to the Indictment. *See United States v. Wright*, 160 F.3d 905, 908 (2d Cir. 1998).


7. In light of the foregoing, I recommend that an order of *nolle prosequi* be filed as to EDWIN SEGARRA, the defendant.



Michael D. Maimin
Assistant United States Attorney
(914) 993-1952

Dated: New York, New York
February 8, 2021


Upon the foregoing recommendation, I hereby direct, with leave of the Court, that an order of *nolle prosequi* be filed as to EDWIN SEGARRA, the defendant, with respect to Indictment 09 Cr. 769 (PAC) and Superseding Information S1 09 Cr. 769 (PAC).



AUDREY STRAUSS
United States Attorney
Southern District of New York

Dated: New York, New York
February 8, 2021

SO ORDERED:



HONORABLE PAUL A. CROTTY
United States District Judge
Southern District of New York

Dated: New York, New York
February 10, 2021